

AFFIDAVIT FOR CRIMINAL COMPLAINT

I, Juan E. Batista Aybar, Customs & Border Protection Enforcement Officer, duly swear that the following statement is true and correct to the best of my knowledge and belief and is based on information personally known to me and provided by U.S. Customs & Border Protection officers Jan Miranda & Jose Tirado.

1. That I am a U.S. Customs and Border Protection Enforcement Officer with the Department of Homeland Security, assigned to investigate Immigration Law violations and Criminal Laws of the United States at the Luis Muñoz Marín International Airport, Carolina, Puerto Rico. As an Enforcement Officer my duties and responsibilities include the enforcement of the Immigration and Nationality Act (INA). Furthermore, as an Enforcement Officer I am assigned to conduct investigations of criminal violations of the immigration laws of the United States, including violations of Title 8 and Title 18 of the United States Code, and to ensure the removal of those aliens that have been found to be in the United States in violation of the immigration laws. I graduated as an Immigration Inspector at the Glynn County, GA Federal Law Enforcement Center (FLTC) on March 03, 2003. I have been employed with DHS/CBP as a C.B.P. Officer since December 02, 2002, and as a Criminal Enforcement Officer since June 08, 2009.
2. The information contained in this affidavit is based upon my personal knowledge, as well as information that I have received from other law enforcement sources. Because this affidavit is made for the limited purpose of establishing probable cause for the issuance of an arrest warrant, I have not recited each and every fact known to me as a result of this investigation. As a result of my personal participation in this investigation, conversations with other law enforcement officers, reports and other sources, I am familiar with the circumstances described in this affidavit.
 1. That on or about February 08, 2025, at the Luis Muñoz Marín International Airport in Carolina, Puerto Rico, an alien by the name of Wuanda Yudelka PEGUERO, a citizen of the Dominican Republic, was found in the United States attempting to board JetBlue Airlines flight number 2537, bound to the city of Santo Domingo, Dominican Republic.
 2. That during the inspection conducted by the U.S. Customs and Border Protection Officers, of Wuanda Yudelka PEGUERO, she claimed to be a citizen of the Dominican Republic, who had entered unlawfully in the United States on or about 2023, at a place or at a time not designated by the Attorney General near Aguadilla, Puerto Rico, and presented a provisional passport from the Dominican Republic, #25XXXXX-414, bearing her photograph.

3. That since she did not have any evidence of legal stay in the United States, Wuanda Yudelka PEGUERO was referred to the Luis Munoz Marin Airport at CBP secondary for further inspection.
4. That during this process a fingerprint examination disclosed an identical match to FBI# XXXXX9T6, a previous removed alien.
5. That on December 31, 2022, Wuanda Yudelka PEGUERO was arrested by the U.S. Customs & Border Protection Field Operations at the Luis Munoz Marin Int'l Airport at San Juan, PR and was served with an Expedited Removal Order for I-860 and was banned from re-entry for 5 Years.
6. That on January 01, 2023, Wuanda Yudelka PEGUERO was physically removed to the Dominican Republic from Luis Munoz Marin Int'l airport in Carolina, PR onboard JetBlue Airlines.
7. That based on the above investigation Wuanda Yudelka PEGUERO was advised of her "Miranda" rights, and she decided not to waive her right and remain silent until she could speak to an attorney.
8. That Wuanda Yudelka PEGUERO was advised to obtain permission from the Attorney General prior to her re-embarkation at a place outside the United States or her application for admission at all prior removal proceedings.
9. That Wuanda Yudelka PEGUERO was found in the United States without obtaining the express consent from the Attorney General of the United States, or his successor, the Secretary of Homeland Security to reenter the United States following her prior removal orders and that no application to request such consent was found on files, on behalf of Wuanda Yudelka PEGUERO at the Office of Citizenship and Immigration Services.
10. That Wuanda Yudelka PEGUERO is a citizen and national of the Dominican Republic that has been previously removed from the United States following a removal as a stowaway and that the defendant is an illegal alien found in the United States with no authorization of legal status to be present in the United States.
11. That since this affidavit is submitted only for the purpose of securing a limited a criminal complaint; I have not set each and every fact known to me concerning this investigation. I have included what I believe are facts sufficient in establishing probable cause for the complaint.

12. Based on the forgoing, and based upon my training, experience and participation in this and other investigations, I believe that sufficient probable cause exists to demonstrate that Wuanda Yudelka PEGUERO was found in the United States in violation of 8 U.S.C. 1326 (a).



Juan E. Batista Aybar
CBP Enforcement Officer

Sworn in accordance with the requirement of FRCP 4.1 at 10:20 a.m. by Telephone,
this 9th day of February 2025, at San Juan, Puerto Rico.



Digitally signed by
Hon. Bruce J.
McGiverin

Hon. Bruce J. McGiverin
U.S. Magistrate Judge
District of Puerto Rico